

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

PLAINSMEN ENERGY, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-20-225-C
)	
SK NEMAHA, LLC,)	
)	
Defendant.)	

ORDER

On August 13, 2020, Defendant filed a Motion to Compel seeking an Order requiring Plaintiff to respond to discovery requests issued in June of 2020. Plaintiff did not respond to the Motion and the Court granted it, requiring Plaintiff to respond to the discovery requests by September 22, 2020. Plaintiff failed to meet that deadline. Defendant notes that it agreed with Plaintiff's request for an additional seven days to respond but no response was forthcoming. On October 28, 2020, Defendant filed this Motion requesting the Court strike Plaintiff's pleadings or in the alternative stay the case until Plaintiff complied with the discovery. Plaintiff has responded asserting that it is in the process of providing the requested discovery and requests the Court deny Defendant's request to strike pleadings. Plaintiff does agree to a stay. As of the date of Defendant's Reply, November 17, 2020, Plaintiff had failed to comply with the Court's Order.

Plaintiff's conduct cannot be tolerated. For nearly two months Plaintiff has failed to comply with an Order of this Court. Plaintiff brought this action and in so doing knew it would be required to produce documents in support of its claims. Plaintiff's counsel are

experienced and the need to timely respond to discovery responses should come as no surprise to them. The Court is not persuaded that a stay adequately addresses Plaintiff's malfeasance. Accordingly, the Court Orders Plaintiff to fully respond to Defendant's discovery requests not later than 7 days from that date of this Order. Failure to meet this deadline will result in dismissal of this action. Plaintiff is ordered to pay Defendant's costs and attorneys' fees associated with bringing the present Motion.

As set forth more fully herein, Defendant SK Nemaha LLC's Motion for Sanctions (Dkt. No. 19) is GRANTED.

IT IS SO ORDERED this 30th day of November 2020.


ROBIN J. CAUTHRON
United States District Judge